

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALIGN TECHNOLOGY, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 17-1648-LPS
)	
3SHAPE A/S and 3SHAPE, INC.,)	
)	
Defendants.)	

STIPULATION AMENDING SCHEDULING ORDER

WHEREAS, the Court vacated the November 8, 2021 trial date and the October 29, 2021 pretrial hearing date and ordered the parties to meet and confer concerning any further revisions to the Scheduling Order (D.I. 138, 142);

WHEREAS, the parties have agreed to certain adjustments to the Scheduling Order (D.I. 55) and are continuing to meet and confer as to potential further adjustments;

WHEREAS, because some of the agreed adjustments change Scheduling Order deadlines in January 2021, the parties are submitting those adjustments to the Court for approval while they continue to meet and confer;

NOW, THEREFORE, plaintiff Align Technology, Inc. (“Align”) and defendants 3Shape A/S and 3Shape, Inc. (collectively “3Shape”) have agreed, subject to the approval of the Court, to the following deadlines for the events listed below:

Event	Deadline
Exchange of claim terms and constructions	January 11, 2021
Final supplementation of accused products and invalidity references	January 21, 2021
Parties file joint claim construction chart	January 21, 2021
Parties file opening claim construction briefs	February 5, 2021
Final infringement contentions	February 10, 2021

Joinder of parties and amendment of pleadings	February 17, 2021
Parties file responsive claim construction briefs	February 15, 2021
<i>Markman</i> hearing	March 1, 2021, 1 p.m. eastern (same as in original Scheduling Order (D.I. 55))
Parties meet and confer regarding case narrowing	15 days after <i>Markman</i> ruling
Parties file joint stipulation or approach Court regarding case narrowing	30 days after <i>Markman</i> ruling
Fact discovery cutoff	March 9, 2021
Final invalidity contentions	March 12, 2021
Interim status report	March 23, 2021

/s/ Jeff Castellano

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Attorneys for Plaintiff

Dated: December 29, 2020

SO ORDERED at Wilmington this ____ day of _____, 2020.

/s/ James H. S. Levine

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United States District Judge